PATENT Attorney's Docket No. 003300-293

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

PER HOFVANDER, PER T. PERSSON

ANNELI TALLBERG (Deceased),

OLLE WIKSTRÖM

Commissioner for Patents

Attention: Mr. Vince Turner

Serial No.: 08/070,455

Filed: June 9, 1993

For: GENETICALLY ENGINEERED

MODIFICATION OF POTATO TO
FORM AMYLOPECTIN-TYPE

STARCH

Office of the Assistant

Commissioner for Patents

Attention: Mr. Vince Turner

SUBMISSION PURSUANT TO 37 C.F.R. §1.42 AND 1.44

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

1

This Application is pending in Group Art Unit 1804, and is based upon International Application No. SE91/00892 filed December 20, 1991. An official Filing Receipt has been issued that identifies LENNART HANSSON as the Legal Representative for the deceased inventor, ANNELI TALLBERG.

The present documentation is being submitted in order to fully satisfy the provisions of 37 C.F.R. §1.42 and 1.44 following a November 23, 1993 discussion with Magdelen Y.C. Greenlief of the U.S. Patent and Trademark Office.

As previously indicated, the joint-inventor, ANNELI TALLBERG, is deceased. This deceased joint-inventor had two children who were her sole heirs. They are Maria Torper (a surviving daughter who is of age) and Olof Torper (a surviving son who is underage). Tommy Tallberg was appointed as Guardian for the surviving underage son, Olof Torper.

Attached as Exhibit A is new Declaration signed by the three living joint-inventors, Maria Torper as heir, and Tommy Tallberg as Guardian for the other heir, Olof Torper.

Attached as Exhibit B is a certified copy of the Estate Inventory of the deceased joint inventor, Anneli Tallberg. This was certified by a Notary Public and the Lund District Court

of Sweden, and is authenticated by Justice B. Stevens, Consul of the United States of America.

The sole heirs of the deceased are identified.

(is)

Attached as Exhibit C is a certified copy from the Guardianship Book of the Lund District Court with respect to the underage son, Olof Torper, of the deceased joint-inventor, Anneli Tallberg. This was certified by a Notary Public and by the Lund District Court of Sweden, and is authenticated by Justice B. Stevens, Consul of the United States of America. Tommy Tallberg was appointed to serve as Guardian for the underage son, Olof Torper.

Attached as Exhibit D is a verified English translation of the Estate Inventory (i.e., Exhibit B) and the Guardianship Book (i.e., Exhibit C) prepared by Charlotta Kristensson. It will be noted from the Estate Inventory that the deceased, Anneli Tallberg left two children who were the sole heirs (i.e., Maria Torper and Olof Torper). It will be noted from the Guardianship Book that Tommy Tallberg was appointed Guardian or Legal Representative for the underage son, Olof Torper, of the deceased joint-inventor, Anneli Tallberg.

The issuance of a new Official Filing Receipt that reflects the information contained herein respectfully is requested. Documentation in full compliance with 37 C.F.R. §1.42 and 1.44 has been provided.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS

Benton S. Duffett, Jr. Registration No. 22,030

Burns, Doane, Swecker & Mathis George Mason Building Washington & Prince Streets P.O. Box 1404 Alexandria, Virginia 22313-1404

Filed: November 24, 1993

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorney Docket No.

003300-293

As a below-named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED: GENETICALLY ENGINEERED MODIFICATION OF POTATO TO FORM AMYLOPECTIN-TYPE STARCH				
the specification of which				
(check one)	is attached hereto; X was filed on June 9, 1993 as			
	Application Serial No08/070,455			
	and was amended on; (if applicable)			
I HAVE REVIEWED AND UNDERSTAND THE CONTINCLUDING THE CLAIMS, AS AMENDED BY ANY A I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE MATERIAL TO PATENTABILITY AS DEFINED IN TIT (as amended effective March 16, 1992);	MENDMENT REFERRED TO ABOVE; OFFICE ALL INFORMATION KNOWN TO ME TO BE			
I d not know and do not believe the said invention was ever known or used in the United States of America before my r our invention thereof, or patented or described in any printed publication in any country before my or our inventi n thereof or more than one year prior to said application; that said invention was not in public use or n sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;				
I hereby claim foreign priority benefits under Title 35, Un applicati n(s) for patent or inventor's certificate as indicapplication for patent or inventor's certificate on this invent which priority is claimed:	cated below and have also identified below any foreign			

Page 1 of $\underline{3}$

(BDSM 42.1)

(2/92)

COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney Docket No.

003300-293

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
Sweden	9004096-5	21 December 1990	YES X NO
			YES NO

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Alan E. Kopecki	25.813	R. Danny Huntington	27,903
Peter H. Smolka	15,913	Regis E. Slutter	26,999	Eric H. Weisblatt	30,505
Robert S. Swecker	19,885	Samuel C. Miller, III	27,360	James W. Peterson	26,057
Platon N. Mandros	22,124	Ralph L. Freeland, Jr.	16,110	Teresa Stanek Rea	30,427
Benton S. Duffett, Jr.	22,030	Robert G. Mukai	28,531	Robert E. Krebs	25,885
Joseph R. Magnone	24,239	George A. Hovanec, Jr.	28,223	Robert M. Schulman	31,196
Norman H. Stepno	22,716	James A. LaBarre	28,632	William C. Rowland	30.888
Ronald L. Grudziecki	24,970	E. Joseph Gess	28,510	T. Gene Dillahunty	25,423
Frederick G. Michaud, Jr.	26,003	David D. Reynolds	29,273	Anthony W. Shaw	30,104

and: NONE

Address all correspondence to:

Benton S. Duffett, Jr.

Burns, Doane, Swecker & Mathis

George Mason Building Washington and Prince Streets

P.O. Box 1404

Alexandria, Virginia 22313-1404

Address all telephone calls to:

Benton S. Duffett, Jr.

at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 f the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Per Hofvander	SIGNATURE Holmunder	DATE 930914
RESIDENCE Falsterbo, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Doppinggrand 8, S-230 11 Falsterbo, Swed	en	
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Per T. Persson	SIGNATURE Cela	PATE 930980
RESIDENCE Kristianstad, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Travgatan 9, S-291 65 Kristianstad, Swed		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Olle Wikstrom	Old Va Re	930920
RESIDENCE Kristianstad, Sweden	CITIZENSHIP Sweden	
POST OFFICE ADDRESS Wasagatan 1, S-291 53 Kristianstad, Swed	en	

Page 2 of $\frac{3}{2}$

(BDSM 42) (10/92)

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FULL NAME OF FOURTH JOINT INVENTOR	SIGNATURE		DATE
ANNELI TALLBERG (deceased)			
by all of her heirs as Legal Representative as identified hereafter:			
			/
(a) Maria Torper (surviving daughter who is of age)	Maria !	laiser_	((/ ٩ - ٩]
(b) Olof Torper (underage surviving son) by Tommy Tallberg as Guardian or "God Man" under Swedish law for Olof Torper	Gov	tan	11/9-93
Residence: Lund, Sweden			
Post Office Address: Drapavagen 69, S-223 7	4 Lund, Swede	en	
Citizenship: Sweden			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
RESIDENCE	-1	CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
RESIDENCE)—————————————————————————————————————	CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	SIGNATURE	TO 11.5 TO 11.5	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
RESIDENCE	<u> </u>	CITIZENSHIP	
POST OFFICE ADDRESS			:
FULL NAME OF NINTH JOINT INVENTOR, IF ANY	SIGNATURE	A *	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
FULL NAME OF TENTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			7
FULL NAME OF ELEVENTH JOINT INVENTOR, IF ANY	SIGNATURE		DATE
RESIDENCE	<u> </u>	CITIZENSHIP	<u> </u>
POST OFFICE ADDRESS	<u>-</u>		

GENERAL AUTHENTICATION CERTIFICATE

KINGDOM OF SWEDEN)
CITY OF STOCKHOLM) SS
EMBASSY OF THE)
UNITED STATES OF AMERICA)

I do hereby certify that the official named below, whose true signature and official seal are, respectively, subscribed and affixed to the annexed document, was, on this day, empowered to act in the official capacity designated in the annexed document, to which faith and credit are due.

Orjan Landelius, Counsellor, Second Division, Legal Department,

(Typed Name of Official) Ministry for Foreign Affairs
Stockholm, Sweden

Signature of Consular Officer)

Justice B. Stevens
Consul of the United States
of America

(Name of Consular Officer)

August 23, 1993 (Date)

(SEAL)

3

ADVOKATFIRMAN
HEDENER & PENSER
ADVOKAT LENNART HANSSON AB
ESLOV

ص. 10 **2**9

179

28 2

I samerbete med

ADVOKAT WILH. PENSER

ADVOKAT BO GÜRAN PERSSON

ADVOKAT JONAS EILERT

BOUPPTECKNING

ch. sg

Med början den 13 augusti 1992 har förrättats bouppteckning efter Anneli Marie Tallberg Torper, Drapavägen 69, 224 74 Lund som var född den 15 september 1945 och avled den 11 juli 1992.

Den avlidna efterlämnar som dödsbodelägare:

BARNEN

✓ 1. Maria Alice Torper, 740223-3923, Drapavägen 69, 224 74 LUND
 — 2. Anders Olof Torper, 760128-4032, Drapavägen 69, 224 74 Lund

Det antecknades att vid förrättningen var närvarande sambon Eskil Persson, Drapavägen 69, 224 74 Lund, numera Kastanjegatan 21:7, 224 56 Lund, testamentstagare Ulf Torper, Sångarevägen 20 E, 224 71 Lund, såsom förmyndare för Olof Torper samt Tommy Tallberg, 401112-4510, Nyckelkroken 25, 226 47 Lund, såsom föreslagen god man för Olof Torper.

Det antecknades att den avlidna efterlämnar testamente av den 25 juni 1992, Bil. 1.

Det antecknas vidare att Eskil Persson påkallat bodelning i anledning av samboförhållandet, Bil. 2.

Boet uppgavs av Eskil Persson. Tillgångar och skulder antecknades och värderas på följande sätt.

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TILLGÅNGAR

Fordringar Svalöf AB, innestående lön 12.157:10 Försäkringskassan, sjukpenning 3.277: Överskjutande skatt enligt 1992 års taxering, Bil. 4 12.542: ✓ Personbil Volvo 360 GLE 1988 års modell, 7.600 mil 35.000: ✓ Insats- och medlemskonto Konsumentföreningen Solidar, Bil. 5 476:70 ✓ Lösöre, Bil. 6 3.100: ✓ Fastighet Lund Erik Plogpenning 29, Bil. 7, 1/2 (492.000: ✓ Kronor 565.932:14 -	Bankmedel Sparbanken Skåne, Bil. 3		7.379:34 /
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Svenska Handelsbanken, Bil. 10 4.295:			
			4.295:V
	Lunds Energiverk		1.148:

Kronor

Malmöhus läns landsting, vårdkostnader

2.800:--

414.856:41 9/

AVGÅENDE POSTER

Begravningskostnader		13.908:
Gravsten		8.500:
Bouppteckningskostnader		4.500:
	Kronor	26.908:

SAMMANSTÄLLNING

 Tillgångar
 565.932:14

 Skulder
 414.856:41

 Avgående poster
 26.908:- 441.764:41

 Behållning i boet kronor
 124.167:73
 23

FÖRSÄKRINGAR

212.658;

TryggHansa/SPP, Bil. 11 Förenade Liv, Bil. 12 Förenade Liv, Bil. 13 SparLiv, Bil. 14 Folksam, Bil. 15 Wasa, Bil. 16

Jag försäkrar härmed på heder och samvete att mina uppgifter till bouppteckningen är i allo riktiga och att inte något med vilja och vetskap är utelämnat. Jag försäkrar vidare att något sådant förvärv som avses i 19 § lag (1941:416) om arvsskatt och gåvoskatt inte förekommit.

Lund den 27/10 1992

Eskil Persson

Vi förrättningsmän intygar att allt blivit rätteligen antecknat och tillgångarna värderats efter bästa förstånd.

Lennart Hansson

Advokat

Box 201

241 23 Eslöv

∕Britt Sahlén Olfosson

Sekreterare

Box 201

241 23 Eslöv

Närvarande

FOTOSTATEC

fråb Advokatfirms

Hedener & F

ESLO7

Britt Saulin Cel from

tikosnotarie Lars Persson

JUN 1 1 TINGSPATT

ALTON MARKET X CONTAR

Härmed intygas att Lars Persson egenhändigt vidimerat denna handling och att han därtill är behörig.

Lund den 12 augusti 1993

Ex offigio:

Dnr 303/93 Avgift SEK 100

Helén Kinnman

Notarius Publicus



GENERAL AUTHENTICATION CERTIFICATE

KINGDOM OF SWEDEN)
CITY OF STOCKHOLM) SS
EMBASSY OF THE)
UNITED STATES OF AMERICA)

I do hereby certify that the official named below, whose true signature and official seal are, respectively, subscribed and affixed to the annexed document, was, on this day, empowered to act in the official capacity designated in the annexed document, to which faith and credit are due.

Orjan Landelius, Counsellor, Second Division, Legal Department,

(Typed Name of Official) Ministry for Foreign Affairs
Stockholm, Sweden

Signature of Consular Officer)

Justice B. Stevens
Consul of the United States

of America (Name of Consular Officer)

> August 23, 1993 (Date)

(SEAL)

6 70'

Den för vilken god man förordnats (namn, yrke och hemvist; för bortavarande delägare i dödsbo även den dödes namn och sista hemvist)

Torper, Anders Olof, 760128-4032, Drapavägen 69, 224 74 LUND

Förordnandet avser

att såsom god man enligt 11 kap 2 § föräldrabalken bevaka Olof Torpers rätt vid boutredning samt vid bodelning och skifte eller ingående av avtal om sammanlevnad i oskiftat dödsbo avseende dödsboet efter Anneli Marie Tallberg Torper, Drapavägen 69, LUND

God man (namn, yrke, hemvist och postadress) Datum för förordnande nummer Datum för entledigande nummer Tallberg, Tommy, 401112-4510, 1993-01-26 FM /22 Nyckelkroken 25, 226 47 LUND God man vid boutredning samt vid bodelning och skifte eller ingående av avtal om sammanlevnad i oskiftat dödsbo/vid mottagande av gåva Nilssons Ir AB Blar 1.1992 Bouppteckn-nr Registernamn Kommun ۵ Torper, Ulf, barn LUND

LUNDS TIMESRATA 🔀 Kopian ☐ Avskriften Everensetimmel med crigicalet

Lars Persson tingsnotarie

for Foreign க் Aligin in Housenawy, hereby

e certities

as issued and signed the egping attestation in his official capacity

Fee Stockholm this

THEKESPERINTEMENTER

Kr宗U,在

IONISAVGI

Örjan Landelius

Härmed intygas att Lars Persson egenhändigt vidimerat denna handling och att han därtill är behörig.

Lund den 12 augusti 1993

Ex officio

Dnr 303/93 Avgift SEK 100

Helén Kinnman Notariús Publicus

PUBLICA

I, the undersigned Charlotta Kristensson, Bachelor of Arts, of Bellevuevägen 46, Malmö, Sweden, do hereby declare that I am conversant with the English and Swedish languages and a competent translator thereof, and I further declare that to the best of my knowledge and belief the following is a true and complete translation made by me of the annexed document.

Malmö, this 11th day of November 1993

Charlotta Kristensson

ESTATE INVENTORY

Starting on 13th August 1992, an inventory has been made of the property left by Anneli Marie Tallberg Torper, Drapavägen 69, S-224 74 Lund, born on 15th September 1945 and deceased on 11th July 1992.

The deceased leaves as parties to the estate:

HER CHILDREN

- Maria Alice Torper, 740223-3923, Drapavägen 69, S-224 74 LUND
- 2. Anders Olof Torper, 760128-4032, Drapavägen 69, S-224 74 LUND

It was noted that the following persons were present at the estate inventory proceedings: co-habitant Eskil Persson, Drapavägen 69, S-224 74 Lund, now Kastanjegatan 21:7, S-224 56 LUND, beneficiary Ulf Torper, Sångarevägen 20 E, S-224 71 LUND, as guardian of Olof Torper, and Tommy Tallberg, 401112-4510, Nyckelkroken 25, S-226 47 LUND, as proposed legal representative of Olof Torper.

It was noted that the deceased leaves a will of 25th June 1992, Encl. 1.

It was further noted that Eskil Persson has called for a division of the joint property in view of the cohabitation, Encl. 2.

The estate was accounted for by Eskil Persson. The assets and the debts were noted and evaluated as follows.

WILL

- I, <u>Anneli</u> Maria Torper-Tallberg, born on 15th September 1945, do hereby declare this to be my last will and testament in the manner and form following.
- 1. Volvo NTB 873 to Ulf Torper, 450727-....
- 2. 2 checked sofas to Eskil Persson, 300416-4152
- 3. 2 Lundquist bookshelves to Eskil Persson, 300416-4152
- 4. 1 Denon CD player to Eskil Persson, 300416-4152
- 5. 1 Tibetan mat, dragon subject, to Maria Torper 740223-3923
- 6. 1 doctor's ring to Olof Torper, 760128-4032

Lund, this 25th day of June 1992

Signature

Anneli Torper-Tallberg

That Anneli Torper-Tallberg, whom we know in

person, has this day, of sound mind and body and of her own free will, in our joint presence declared the above provisions as being her last will and hereinunder signed her name, is hereby certified by the undersigned as attesting witnesses.

Lund as stated above

Signature Signature

Name: Bo Persson Name: Georges Guedj

Profession: Registered doctor Profession: Nurse

Address: Vegagatan 5 Address: Kollegiev. 134

S-224 17 LUND S-224 73 LUND

GUARDIANSHIP BOOK of the Court - legal representative

He for whom a legal representative has been appointed (name, profession and residence; for absent party to the estate also the name and last residence of the deceased)

Torper, Anders Olof, 760128-4032, Drapavägen 69, S-224 74 LUND

The appointment concerns

to look after, as legal representative under the Children and Parents Code, Chapter 11, Sec. 2, the right of Olof Torper in the administration of the estate and in the division of the joint property and the distribution thereof or the making of an agreement on undivided possession of the estate regarding the estate of Anneli Marie Tallberg Torper, Drapavägen 69, LUND

Legal representative (name, profession, residence and postal address) Tallberg, Tommy, 401112-4510, Nyckelkroken 25, S-226 47 LUN Legal representative in the administration of the estate and in the division of joint property and the distribution thereof or the making of an agreement on undivided possession of the estate/upon reception of a gift		No. FM 22	Date of dismissal	No.
Estate Inventory No. Name of Register Torper, Ulf, Chil	Municipality LUND			

LUND DISTRICT COURT

x This is a true copy
of the original

Signature Lars Persson Clerk of the District Court